

PINNOCK & WAKEFIELD, A.P.C.

Theodore A. Pinnock, Esq. Bar #: 153434
David C. Wakefield, Esq. Bar #: 185736
Michelle L. Wakefield, Esq. Bar #: 200424
3033 Fifth Avenue, Suite 410
San Diego, CA 92103
Telephone: (619) 858-3671
Facsimile: (619) 858-3646

Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

**OUTERBRIDGE ACCESS ASSOCIATION,
SUING ON BEHALF OF DIANE CROSS;
and DIANE CROSS, An Individual,**

Plaintiffs,

v.

**MARIE CALLENDER'S PIE SHOPS, INC.
d.b.a. MARIE CALLENDER'S #254;
PACIFIC BAGELS, LLC d.b.a.
BRUEGGARS BAGELS; COURTYARD
HOLDINGS, LP; PSS PARTNERS, LLC;
AND DOES 1 THROUGH 10, Inclusive,**

Defendants.

Case No.: 07cv2129 BTM (AJB)

**NOTICE OF MOTION AND MOTION TO
AMEND THE ORIGINAL COMPLAINT**

Date: January 25, 2008

Time: 11:00 A.M.

Judge: Hon. Barry Ted Moskowitz

///

///

///

///

///

1 **TO: DEFENDANTS AND THEIR ATTORNIES OF RECORD**

2
3 **PLEASE TAKE NOTICE** that on January 25, 2008, at 11:00 A.M.,
4 in the Courtroom of Judge Moskowitz of the above reference Court
5 located at 940 Front Street, San Diego, California, 92101, the
6 Plaintiffs will make a Motion To Amend The Original Complaint and
7 request leave of court to file a First Amended Complaint. This
8 motion will be based on this Notice Of Motion, Plaintiffs Points
9 And Authorities In Support Of Motion To Amend, and the
10 Declaration of Michelle L. Wakefield In Support Of Plaintiffs'
11 Motion To Amend.

12
13 Respectfully submitted:

14 **PINNOCK & WAKEFIELD, A.P.C.**

15 Dated: December 28, 2007

16 By: s/ Michelle L. Wakefield
17 Attorney for Plaintiffs
18 E-mail: MichelleWakefield@
19 PinnockWakefieldLaw.com
20
21
22
23
24
25
26
27
28